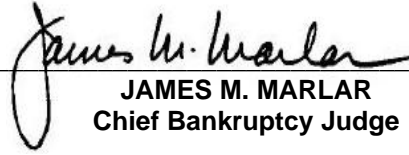




Dated: July 07, 2010

Matthew A. Silverman (018919)
Jessica R. Kenney (026615)
McCarthy ♦ Holthus ♦ Levine
3636 North Central Avenue
Suite 1050
Phoenix, AZ 85012
(602) 230-8726


JAMES M. MARLAR
Chief Bankruptcy Judge

Attorneys for Movant,
The Bank of New York Mellon f/k/a The Bank of New York as successor to JPMorgan Chase
Bank, N.A., as trustee for the benefit of the Certificateholders of Popular ABS, Inc. Mortgage
Pass-Through Certificates Series 2005-5, its assignees and/or successors

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA
PHOENIX DIVISION

In re:)
Jaxon Rimer,) In Proceedings Under
Valerie Rimer,) Chapter 7
Debtors.) Case No. 4:10-bk-03399-JMM

The Bank of New York Mellon f/k/a The Bank)
of New York as successor to JPMorgan Chase)
Bank, N.A., as trustee for the benefit of the)
Certificateholders of Popular ABS, Inc.)
Mortgage Pass-Through Certificates Series)
2005-5, its assignees and/or successors,)

Movant,)
v.)
Jaxon Rimer, Valerie Rimer, Debtors; and)
Trudy A. Nowak, Chapter 7 Trustee,)

Respondents.

**ORDER TERMINATING
AUTOMATIC STAY**

1 The Bank of New York Mellon f/k/a The Bank of New York as successor to JPMorgan
2 Chase Bank, N.A., as trustee for the benefit of the Certificateholders of Popular ABS, Inc.
3 Mortgage Pass-Through Certificates Series 2005-5 ("Movant"), having filed a Motion for Relief
4 from the Automatic Stay with respect to the hereinafter-described property after appropriate
5 notice and opportunity for a hearing, no party in interest having objected to such relief, the
6 Respondents having failed to plead or otherwise defend, and good cause appearing,

7 **IT IS THEREFORE ORDERED** that:

8 Any and all stays against lien enforcement, including the automatic stay of 11 U.S.C. §
9 362(a) and the automatic injunction of 11 U.S.C. § 524(a), are hereby vacated with respect to
10 the property generally described as 9800 East Domenic Lane, Tucson, AZ 85730, and Movant,
11 its assignees and/or successors in interest, may proceed with a foreclosure of and hold a
12 Trustee's sale of the subject property pursuant to the state law, and thereafter commence any
13 action necessary to obtain complete possession of the subject property without further court
14 order or proceeding being necessary.

15 **IT IS FURTHER ORDERED** that:

16 The Moving Party, at its option, may offer, provide and enter into any potential
17 forbearance agreement, loan modification, refinance agreement or other loan workout/loss
18 mitigation agreement as allowed by state law. The Movant may contact the Debtor via
19 telephone or written correspondence to offer such an agreement. Any such agreement shall be
20 non-recourse unless included in a reaffirmation agreement.

21 DATED:

22 _____
23 UNITED STATES BANKRUPTCY JUDGE
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